

REMARKS

Reconsideration is respectfully requested in light of the foregoing amendments and remarks which follow.

Claims 1-32 are pending in the application. Claims 1-5 and 24-32 are before the Examiner. Applicants affirm the election of the claims of Group I with traverse. Claims 6-23 have been held withdrawn from consideration by the Examiner as drawn to a non-elected invention pursuant 37 CFR 1.142(b).

Claim 1 has been amended to include the subject matter of cancelled claim 2 and to employ "consisting essentially of" as the transition phrase.

Claims 28-32 have been added. These claims correspond to the elected subject matter and further limit claim directly or indirectly by specifying the BET of the hydrophilic particles, the hydrophilic particle concentration or the presence of fixative particles, respectively. The surface particle percentage ranges are supported on page 3 starting at line 14. Support for the BET value range is found on page 3, starting at line 33. The presence of fixative particles is supported on page 13, starting at line 34.

Claim 2 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse.

Claim 2 has been canceled which renders the rejection moot. Withdrawal of the rejection is respectfully requested.

Claims 1-5 and 24-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Wantabe et al. (WO 97/45502) published December 4, 1997. Applicants respectfully traverse. (Applicants note that the Examiner, for the sake of convenience, references U.S. Patent No. 6,337,129.)

Wantabe et al. teach a surface which has both a hydrophobic portion and a hydrophilic portion, which is induced by a photocatalyst. The hydrophobic portion and the hydrophilic portion are present in a microscopically dispersed and exposed state on the surface of the member. The presence of the hydrophilic character is light activated and temporary. The surface layer comprises a photocatalytic oxide, a silicone or silica and a water repellent

fluoresin. See col. 1, lines 18-31. The photocatalytic oxide includes titanium oxide, zinc oxide, tin oxide, ferric oxide, dibismuth trioxide, tungsten trioxide and strontium titanate. See col. 3, lines 60-64. The hydrophilic nature is imparted to silica or silicone by the photocatalyst. The quality disappears in the absence of light. See col. 4, lines 10-34.

The claimed surface has hydrophilic properties and consists essentially of particles having hydrophilic properties and having an average particle size of from 1 nm to 20 μ m. There is no photocatalyst oxide which imparts to silica or silicone a light induced temporary hydrophilic character. The claims presently exclude the presence of the photocatalyst for purposes of patentability and require the surface to be composed of particles having a specified size and a present, not induced hydrophilic character. The new claims specify additional characteristics not expressly taught by Wantabe et al.- percentage of particles present on the surface, BET values for the particles, and the presence of fixative particles.

Wantabe et al. fails to teach each and every element required by the claims. Accordingly, the reference is not anticipatory and the rejection should be withdrawn. This is respectfully requested.

Claims 1-5 and 24-27 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-35, 1-31, 1-16, 1-31, 1-21, respectively of copending application Nos. 10/214,202; 11/346,448; 11/346,427; 10/293,302; 10/309,297. Applicants respectfully traverse.

The applications were accessible on the U.S.P.T.O. home page. It is noted that each of the applications identified in the provisional rejection are indicated as abandoned.

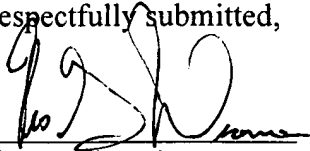
Further, the claims of the present application have been amended to maintain a clear line of demarcation between the instant application as those identified.

Reconsideration is respectfully requested.

All rejections having been addressed, it is respectfully submitted that this application is in condition for allowance, and Notice to that effect is respectfully requested. If the Examiner believes that prosecution would be expedited by a telephonic interview, he is invited to telephone the undersigned.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas G. Wiseman', written over a horizontal line.

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